



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 25/6

DATE SCANNED 11-14-12

SCANNER NO. 2

SCAN OPERATOR Jm13

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2012 MAY 22 P 3 11

May 22, 2012

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: Alec Palmer  
Staff Director

FROM: Patricia Carmona  
Chief Compliance Officer

Debbie Chacona  
Assistant Staff Director  
Reports Analysis Division

BY: Jodi Winship/Sari Pickeral/David Garr  
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2012 April Quarterly Report for the  
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2012 April Quarterly Report in accordance with 2 U.S.C. 434(a). The 2012 April Quarterly Report was due on April 15, 2012.

The committees listed in the attached RTB Circulation Report either failed to file the report, or filed the report no more than thirty (30) days after the due date (considered a late filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

**Recommendation**

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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Federal Election Commission  
Reason to Believe Circulation Report  
2012 APRIL QUARTERLY Not Election Sensitive 04/15/2012 H\_S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2513	C00230342	21ST CENTURY DEMOCRATS		BILL COMBS	\$3,025,969	1	4/30/2012	15	\$556,147	\$7,875

2515	C00486829	BRIAN K HILL FOR US SENATE	HILL, BRIAN KEITH	HOWARD KENTON HILL	\$102,427	0	4/24/2012	9	\$11,631	\$155
2516	C00498899	CRAIG MILLER FOR US SENATE INC	MILLER, CRAIG S	DOUGLAS W. ROBINSON	\$690,997	0		Not Filed	\$345,499 (est)	\$8,800
2517	C00463059	GOEHRING FOR CONGRESS	GOEHRING, BRAD	TERRY MCDONALD	\$292,702	0		Not Filed	\$73,176 (est)	\$2,970
2518	C00426320	LIBERTARIAN PARTY OF INDIANA		TODD SINGER	\$119,840	3	4/22/2012	7	\$32,555	\$595
2519	C00497198	MIKE WILLIAMS FOR CONGRESS	WILLIAMS, MICHAEL J	ERIC MARTIN	\$261,413	0		Not Filed	\$87,138 (est)	\$3,850

2521	C00165282	OLD NATIONAL BANK PAC		BRENDON FALCONER	\$153,300	1		Not Filed	\$38,325 (est)	\$1,237
2522	C00497412	OUR VOICE PAC		ROBERT FEE	\$178,903	0	4/30/2012	15	\$42,596	\$500
2523	C00368415	PLUMBERS & STEAMFITTERS LOCAL 22 PAC INC		MICHAEL W. MCNALLY	\$138,186	0	4/25/2012	10	\$35,661	\$400
2524	C00491506	WARD AND SMITH, P.A. POLITICAL ACTION COMMITTEE		JAMES W. NORMENT	\$147,850	0	5/3/2012	18	\$44,750	\$560

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Reason To Believe Recommendation - 2012 )  
April Quarterly Report for the )  
Administrative Fine Program: )  
21ST CENTURY DEMOCRATS, and ) AF# 2513  
COMBS, BILL as treasurer: )

BRIAN K HILL FOR US SENATE, and ) AF# 2515  
HOWARD KENTON HILL as treasurer; )  
CRAIG MILLER FOR US SENATE INC, ) AF# 2516  
and DOUGLAS W ROBINSON as )  
treasurer; )  
GOEHRING FOR CONGRESS, and ) AF# 2517  
TERRY MCDONALD as treasurer; )  
LIBERTARIAN PARTY OF INDIANA, ) AF# 2518  
and TODD SINGER as treasurer; )  
MIKE WILLIAMS FOR CONGRESS, and ) AF# 2519  
ERIC MARTIN as treasurer; )

OLD NATIONAL BANK PAC, and ) AF# 2521  
BRENDON FALCONER as treasurer; )  
OUR VOICE PAC, and FEE, ROBERT as ) AF# 2522  
treasurer; )  
PLUMBERS & STEAMFITTERS LOCAL ) AF# 2523  
22 PAC INC, and MCNALLY, MICHAEL )  
W as treasurer; )  
WARD AND SMITH, P.A. POLITICAL ) AF# 2524  
ACTION COMMITTEE, and JAMES W. )  
NORMENT as treasurer; )

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CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on May 23, 2012 the Commission took the following actions on the Reason To Believe Recommendation - 2012 April Quarterly Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated May 22, 2012, on the following committees:

AF#2513 Decided by a vote of 6-0 to: (1) find reason to believe that 21ST CENTURY DEMOCRATS, and COMBS, BILL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2515 Decided by a vote of 6-0 to: (1) find reason to believe that BRIAN K HILL FOR US SENATE, and HOWARD KENTON HILL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2516 Decided by a vote of 6-0 to: (1) find reason to believe that CRAIG MILLER FOR US SENATE INC, and DOUGLAS W ROBINSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2517 Decided by a vote of 6-0 to: (1) find reason to believe that GOEHRING FOR CONGRESS, and TERRY MCDONALD as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount

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indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2518 Decided by a vote of 6-0 to: (1) find reason to believe that LIBERTARIAN PARTY OF INDIANA, and TODD SINGER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2519 Decided by a vote of 6-0 to: (1) find reason to believe that MIKE WILLIAMS FOR CONGRESS, and ERIC MARTIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2521 Decided by a vote of 6-0 to: (1) find reason to believe that OLD NATIONAL BANK PAC, and BRENDON FALCONER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2522 Decided by a vote of 6-0 to: (1) find reason to believe that OUR VOICE PAC, and FEE, ROBERT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2523 Decided by a vote of 6-0 to: (1) find reason to believe that PLUMBERS & STEAMFITTERS LOCAL 22 PAC INC, and MCNALLY, MICHAEL W as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2524 Decided by a vote of 6-0 to: (1) find reason to believe that WARD AND SMITH, P.A. POLITICAL ACTION COMMITTEE, and JAMES W. NORMENT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil

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Federal Election Commission  
Certification for Administrative Fines  
May 23, 2012

Page 4

money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

May 23, 2012  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 24, 2012

Douglas W. Robinson, in official capacity as Treasurer  
Craig Miller for US Senate Inc  
P.O. Box 540028  
Orlando, FL 32854

C00498899  
AF#: 2516

Dear Mr. Robinson:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an April Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through March 31, 2012, shall be filed no later than April 15, 2012. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On May 23, 2012, the FEC found that there is reason to believe ("RTB") that Craig Miller for US Senate Inc and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before April 15, 2012. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$8,800. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$8,800 is due within forty (40) days of the finding, or by July 2, 2012, and is based on these factors:

Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$345,499  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street,

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NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or July 2, 2012. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the precoding factual allegations are true and make a final determination that Craig Miller for US Senate Inc and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

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**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 CFR § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Caroline C. Hunter  
Chair

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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$8,800 for the 2012 April Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The remittance and your payment are due by July 2, 2012. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**  
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FOR: Craig Miller for US Senate Inc

FEC ID#: C00498899

AF#: 2516

PAYMENT DUE DATE: July 2, 2012

PAYMENT AMOUNT DUE: \$8,800

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2012 AUG 16 PM 1:35

August 16, 2012

**SENSITIVE**

**MEMORANDUM**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orroek *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: *JP* Jodi Winship/Sari Pickeral *JP*  
Compliance Branch

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the  
2012 April Quarterly Report

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2012 April Quarterly Report. The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, three (3) committees disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. Of these, one (1) committee will be assessed a civil money penalty at Final Determination (FD) that has been reduced since the

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RTB finding, and two (2) committees will be assessed a civil money penalty of \$0 at FD. An overview of each of these cases has been provided below.

Craig Miller for US Senate (AF 2516) filed the 2012 April Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$232,479 (previously estimated to be \$345,499), thus the fine would be lowered from \$8,800 to \$7,150.

Goehring for Congress (AF 2517) disclosed a level of activity after the RTB finding and disclosed no activity (previously estimated to be \$73,176), which would result in no civil money penalty (fine previously assessed to be \$2,970).

Mike Williams for Congress (AF 2519) disclosed a level of activity after the RTB finding and disclosed no activity (previously estimated to be \$87,138), which would result in no civil money penalty (fine previously assessed to be \$3,850).

Also, committees detailed below designated a new Treasurer after the RTB finding:

- Old National Bank PAC (AF 2521) filed an Amended Statement of Organization after the RTB finding designating Dean Happe as Treasurer (see second list).

#### **RAD Recommendation**

- (1) Make final determination that the political committees and their treasurers listed on the attached reports violated 2 U.S.C. § 434(a) and assess the final civil money penalties so indicated.
- (2) Make final determination that the political committees and their treasurers listed on the attached reports with no activity, violated 2 U.S.C. § 434(a) and will not be assessed a civil money penalty.
- (3) Send the appropriate letters.

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Federal Election Commission  
FD Circulation Report Fine Paid  
2012 APRIL QUARTERLY Not Election Sensitive 04/15/2012 H\_S\_P\_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
2515	BRIAN K HILL FOR US SENATE	HILL, BRIAN KEITH	C00488829	HOWARD KENTON HILL	04/24/2012	9	\$11,631	0	05/23/2012	\$155	\$155	08/25/2012	\$155
2518	LIBERTARIAN PARTY OF INDIANA		C00426320	TODD SINGER	04/22/2012	7	\$32,555	3	05/23/2012	\$595	\$595	08/18/2012	\$595
2522	OUR VOICE PAC		C00497412	ROBERT FEE	04/30/2012	15	\$60,586	0	05/23/2012	\$500	\$500	08/20/2012	\$500
2523	PLUMBERS & STEAMFITTERS LOCAL 22 PAC, INC.		C00368415	MICHAEL W. MCNALLY	04/25/2012	10	\$35,661	0	05/23/2012	\$400	\$400	05/29/2012	\$400
2524	WARD AND SMITH, P.A. POLITICAL ACTION COMMITTEE		C00491506	JAMES W. NORMENT	05/03/2012	18	\$44,750	0	05/23/2012	\$560	\$560	08/04/2012	\$560

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Federal Election Commission  
FD Circulation Report Fine Not Paid  
2012 APRIL QUARTERLY Not Election Sensitive 04/15/2012 H\_S\_P\_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
2513	21ST CENTURY DEMOCRATS		C00230342	BILL COMBS	04/30/2012	15	\$556,147	1	05/23/2012	\$7,875	85	\$7,875
2516	CRAIG MILLER FOR US SENATE INC	MILLER, CRAIG S	C00498899	JOHN RYSER	05/31/2012	Not Filed	\$232,479	0	05/23/2012	\$8,800	85	\$7,150
2517	GOEHRING FOR CONGRESS	GOEHRING, BRAD	C00463059	TERRY MCDONALD		Not Filed	\$0	0	05/23/2012	\$2,970	85	NONE
2519	MIKE WILLIAMS FOR CONGRESS	WILLIAMS, MICHAEL J	C00497198	ERIC MARTIN		Not Filed	\$0	0	05/23/2012	\$3,850	85	NONE
2521	OLD NATIONAL BANK PAC		C00165282	DEAN HAPPE	06/28/2012	Not Filed	\$38,110	1	05/23/2012	\$1,237	85	\$1,237

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Administrative Fine Program - Final	)	
Determination Recommendation for the	)	
2012 April Quarterly Report:	)	
21ST CENTURY DEMOCRATS, and	)	AF# 2513
COMBS, BILL as treasurer;	)	
	)	
	)	
BRIAN K HILL FOR US SENATE, and	)	AF# 2515
HOWARD KENTON HILL as treasurer;	)	
CRAIG MILLER FOR US SENATE INC,	)	AF# 2516
and JOHN RYSER as treasurer;	)	
GOEHRING FOR CONGRESS, and	)	AF# 2517
TERRY MCDONALD as treasurer;	)	
LIBERTARIAN PARTY OF INDIANA,	)	AF# 2518
and TODD SINGER as treasurer;	)	
MIKE WILLIAMS FOR CONGRESS, and	)	AF# 2519
ERIC MARTIN as treasurer;	)	
	)	
	)	
OLD NATIONAL BANK PAC, and	)	AF# 2521
HAPPE, DEAN as treasurer;	)	
OUR VOICE PAC, and FEE, ROBERT as	)	AF# 2522
treasurer;	)	
PLUMBERS & STEAMFITTERS LOCAL	)	AF# 2523
22 PAC INC, and MCNALLY, MICHAEL	)	
W as treasurer;	)	
WARD AND SMITH, P.A. POLITICAL	)	AF# 2524
ACTION COMMITTEE, and JAMES W.	)	
NORMENT as treasurer;	)	



CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on August 17, 2012 the Commission took the following actions on the Administrative Fine Program - Final Determination Recommendation for the 2012 April Quarterly Report as recommended in the Reports Analysis Division's Memorandum dated August 16, 2012, on the following committees:

AF#2513 Decided by a vote of 6-0 to: (1) make a final determination that 21ST CENTURY DEMOCRATS, and COMBS, BILL as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2515 Decided by a vote of 6-0 to: (1) make a final determination that BRIAN K HILL FOR US SENATE, and HOWARD KENTON HILL as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2516 Decided by a vote of 6-0 to: (1) make a final determination that CRAIG MILLER FOR US SENATE INC, and JOHN RYSER as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2517 Decided by a vote of 6-0 to: (1) make a final determination that GOEHRING FOR CONGRESS, and TERRY MCDONALD as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2518 Decided by a vote of 6-0 to: (1) make a final determination that LIBERTARIAN PARTY OF INDIANA, and TODD SINGER as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2519 Decided by a vote of 6-0 to: (1) make a final determination that MIKE WILLIAMS FOR CONGRESS, and ERIC MARTIN as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2521 Decided by a vote of 6-0 to: (1) make a final determination that OLD NATIONAL BANK PAC, and HAPPE, DEAN as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2522 Decided by a vote of 6-0 to: (1) make a final determination that OUR VOICE PAC, and FEE, ROBERT as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2523 Decided by a vote of 6-0 to: (1) make a final determination that PLUMBERS & STEAMFITTERS LOCAL 22 PAC INC, and MCNALLY, MICHAEL W as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2524 Decided by a vote of 6-0 to: (1) make a final determination that WARD AND SMITH, P.A. POLITICAL ACTION COMMITTEE, and JAMES W. NORMENT as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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Federal Election Commission  
Certification for Administrative Fines  
August 17, 2012

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Attest:

August 17, 2012  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

12092681432



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 20, 2012

John Ryser, in official capacity as Treasurer  
Craig Miller for US Senate Inc  
P.O. Box 12177  
Daytona Beach, FL 32120

C00498899  
AF#: 2516

Dear Mr. Ryser:

On May 23, 2012, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Craig Miller for US Senate Inc and its treasurer violated 2 U.S.C. § 434(a) for filing late or failing to file the 2012 April Quarterly Report. By letter dated May 24, 2012, the Commission sent notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$8,800 in accordance with the schedule of penalties at 11 CFR § 111.43. Within forty (40) days of the FEC's RTB finding, you were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty. The amount of the civil money penalty has been changed to reflect the actual level of activity of the 2012 April Quarterly Report.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. The FEC made a final determination on August 17, 2012 that you, in your official capacity as treasurer, and Craig Miller for US Senate Inc violated 2 U.S.C. § 434(a) and assessed a civil money penalty in the amount of \$7,150 in accordance with 11 CFR § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Not Election Sensitive

Level of Activity: \$232,479

Number of Days Late: Not Filed (reports not filed within thirty (30) days of the due date are considered not filed for the purposes of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty**

If you choose to appeal the final determination, you should submit a written petition, within thirty (30) days of receipt of this letter, to the district court of the United States for the district in which the committee or treasurer reside, or transact business, requesting that the final

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determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 CFR § 111.38.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal**

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within thirty (30) days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within five (5) days of the transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

## **3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the civil money penalty, send the enclosed remittance form, along with your payment, to the address on page 4 within thirty (30) days of receipt of this letter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 CFR § 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Sari Pickerall at Federal Election Commission, 999 E St., NW, Washington, DC 20463, or our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

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On behalf of the Commission,

*Caroi C. Hunter*

Caroline C. Hunter  
Chair

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**ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the civil money penalty is \$7,150 for the 2012 April Quarterly Report.

This penalty should be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
PO Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The form and payment are due within thirty (30) days of receipt of this letter.

**Payments by Personal Check**

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

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FOR: Craig Miller for US Senate Inc

FEC ID#: C00498899

AF#: 2516

PAYMENT AMOUNT DUE: \$7,150

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**may try to make the transfer twice.**

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

**FOR: Craig Miller for US Senate Inc**

FEC ID#: C00498899

**AF#: 2516**

**PAYMENT AMOUNT DUE: \$7,150**

**QUALITY IS OUR PRIORITY FOR LOCKBOX 9058  
SEQ# 002 \$ 0000715000 BA# 1 09-17-12 20 4**



**ADOPT YOUR NEXT BEST FRIEND**  
**CRAIG S. MILLER**  
**SUSAN G. MILLER**  
 [Redacted]  
 7/13/12  
 Date  
 Pay to the Order of Federal Election Commission \$ 750.00  
Saving One Hundred Fifty  
 Dollars  
 [Redacted]  
 Write Payee Bank, A/C, Branch, and Address  
 [Redacted]  
 6295  
 10-37-0817-005  
 10-37-0817-002  
 THE SHIRAZ SOCIETY  
 10-37-0817-002  
 [Redacted]  
 [Redacted]  
 [Redacted]





FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2516

DATE SCANNED 11-14-12

SCANNER NO. 2

SCAN OPERATOR JmH

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